

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

R. LACEY COLLIGAN, M.D.,
plaintiff,

v.

MARY HITCHCOCK MEMORIAL HOSPITAL
and
DARTMOUTH HITCHCOCK CLINIC,
defendants.

Civil Action No.: 16-CV-513-JD

**STIPULATION OF DISMISSAL WITH PREJUDICE
CONDITIONED UPON COURT RETENTION OF ENFORCEMENT JURISDICTION**

Plaintiff R. Lacey Colligan, M.D. (“Plaintiff” or “Colligan”) and defendants Mary Hitchcock Memorial Hospital and Dartmouth-Hitchcock Clinic (“Defendants” or “Dartmouth-Hitchcock”) stipulate as follows pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii) for the dismissal of this litigation (“Litigation”) with prejudice conditioned upon the Court’s order retaining enforcement jurisdiction relating to and/or arising from Section 7 of their Agreement.

1. Plaintiff and Defendants have resolved their disputes including as alleged, claimed and defended in the Litigation pursuant to the terms of their Agreement.
2. Plaintiff and Defendants have agreed that the Litigation shall be dismissed with prejudice, conditioned upon this Court’s order retaining enforcement jurisdiction related to and/or arising from Section 7 of the Agreement.
3. Section 7 of the Agreement concerns changes to conditions, limitations and restrictions upon Plaintiff’s access to Dartmouth-Hitchcock’s public property and/or healthcare services based upon any events occurring prior the Effective Date of the Agreement. The

Parties agree that this Court will issue an order retaining enforcement jurisdiction related to and/or arising from Section 7 of the Agreement.

4. The parties agree that the Court will not dismiss the Litigation unless it also issues an order retaining enforcement jurisdiction related to and/or arising from Section 7 of the Agreement.
5. WHEREFORE, the Parties respectfully request that the Court enter the following order:
 - A) The Litigation is dismissed with prejudice conditioned upon this Court's retention of enforcement jurisdiction relating to and/or arising from Section 7 of the Agreement; and
 - B) Grant such further relief as is just and proper.

Respectfully submitted by the Plaintiff,

R. LACEY COLLIGAN, M.D.,

By her attorneys at,

SHAHEEN & GORDON, P.A.,

/s/ Timothy J. McLaughlin, Esq.

Timothy J. McLaughlin (NH bar # 19570)

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March 4, 2020

Respectfully submitted by the Defendants,

MARY HITCHCOCK MEMORIAL HOSPITAL
and DARTMOUTH HITCHCOCK CLINIC,

By their Attorneys at,
SULLOWAY & HOLLIS, P.L.L.C.

/s/ Christopher J. Pyles, Esq.

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March 4, 2020

SO ORDERED

Joseph A. DiClerico, Jr.
United States District Judge

CERTIFICATE OF SERVICE

I certify that on this date, a copy of the foregoing pleading was served upon all counsel of record via the Court's CM/EFC system.

/s/ Timothy J. McLaughlin
Timothy J. McLaughlin